

REMARKS

Applicant has reviewed this application in light of the Office Action dated December 17, 2009. Claims 15–17, 20–26, 28–29 and 32–35 remain pending in the application. Claims 20 and 21 have been amended. No new matter has been added. Applicant request reconsideration of the rejection in light of the following remarks.

Claims 15–17, 20–26, 28–29, and 33–34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,337,692 to Rai et al. (hereinafter “Rai”).

Claim 15 recites, *inter alia*, “memories for storing information which the matrix uses to control the color value signals; and a converter for generating a hue signal from the color video signals, the hue signal connected to inputs of the memories.” The Examiner argues that Rai’s hue signal, which comes from block 1210 in FIG. 12, passes through index generator 1212 and thus passes to lookup table (LUT) 1232. The Examiner concedes that there is no direct connection between the hue signal and memories for the matrix, but asserts that it would be an “obvious variation” to have directly made such a connection.

First, as a procedural point, the Examiner has rejected these claims as if Rai *anticipated* the present invention. MPEP § 2131 notes that, “To anticipate a claim, the reference must *teach* every element of the claim.” (Emphasis added.) As such, it is inappropriate for the examiner to rely on obviousness arguments in the context of a § 102 rejection. By the Examiner’s own concession, Rai does not disclose this element, and as such the present rejection must be withdrawn.

To further address the Examiner’s substantive reasoning, applicants point out that, although the INDEX signal shown in FIG. 12 and described in column 29, lines 20–35 of Rai is generated using the hue signal, the INDEX signal does not itself represent a hue signal. Instead, the INDEX signal is described as “identifying the pixel’s color correction channel.” Rai, Col. 29, lines 26–27. Then, “If the pixel does not occur within a color correction channel defined for the color correction block, the given pixel passes through the color correction block without any alteration.” Rai, Col. 29, lines 27–31. Rather than representing hue information, the INDEX signal serves to determine whether a given portion of a video signal has already been corrected. *See* Rai, Col. 29, lines 27–33. The actual hue signals are accounted for in color correction

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through the use of separate hue components 1216 and 1222, neither of which is connected to matrix memories. *See Rai, FIG. 12.*

As such, the Examiner's assertion that it would have been obvious to connect the hue signal directly to matrix memories lacks support. The LUT 1232 simply does not require the hue signal to perform its operation. Instead, the LUT 1232 instead relies on user controls 1214. Therefore, the necessary element of predictability does not exist.

The Examiner also asserts that user control 1214 produces a hue signal. Assuming, *arguendo*, that the user control 1214 produces a hue signal, such a signal would *not* read on the present claims. Claim 15 explicitly recites that the hue signal is generated *from the color video signals*. Even if the output of the user control 1214 could be described as hue signals (as opposed to mere correction values, as Applicant believes), such signals are not generated from the color video signals.

As such, the connection of the hue signal in Rai to a matrix is neither disclosed *nor suggested* by the reference. Secondly, Rai neither discloses nor suggests applying hue signals generated from color video signals to the matrix's LUT. For at least the above reasons, it is believed that claim 15 is in condition for allowance. Because claims 16-17, 20-26, 28-29, and 33-34 depend from claim 15 and include all of its elements, it is believed that these claims are also in condition for allowance.

In addition, the dependent claims also include patentable subject matter beyond that recited in the base claim. For example, claims 20 and 21 as amended recite, "wherein the converter generates a color saturation signal from a color video signal, supplied to multipliers located in the supply lines of the correction values to the matrix." The Examiner argues that Rai shows that the user control 1214 controls the configuration of color correction LUT 1232, as described above, which "includes the coefficients of the T-matrix for various color correction channels."

It is not clear how the Examiner identifies the user controls with the claimed *converter*. Nor does the Examiner explain how a user's specification can in any way be interpreted as "generating" a color saturation signal. Nor is it clear how the user controls can be identified with the Examiner's other proposed "converter," block 1210.

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In order to further clarify this feature, claims 20 and 21 have been amended to recite that the saturation signal is generated *from a color video signal*. This feature is supported in the present specification at paragraph 22. Regardless of whether the user controls could be considered a converter, could be considered as "generating" anything, or could be in any way identified or combined with the Examiner's other asserted converter. The saturation signal produced by user controls 1214 certainly is *not* generated from a video signal. Applicants assert that Rai neither discloses nor suggests generating a color saturation signal from a color video signal, where such signal is supplied to multipliers located in the supply lines of the correction values to the matrix.

To reiterate, claims 16-17, 20-26, 28-29, and 33-34 patentably distinguish over the art of record. Applicant requests reconsideration of the rejection.

Claims 32 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rai in view of U.S. Patent No. 6,433,898 to Bestmann (hereinafter "Bestmann").

Claims 32 and 35 depend from claim 15 and therefore include all of its elements. Bestmann cannot cure the deficiencies discussed above, as this patent is not in any way concerned with matrices or the memories that they use. Therefore, Rai or Bestmann, taken alone or in combination, fail to disclose or suggest all of the elements of claims 32 and 35.

In addition, dependent claims 32 and 35 include patentable subject matter separate and apart from that recited in the independent claim. For example, claim 35 as amended recites, "three limiters, connected downstream of the matrix, configured to limit each color signal to a maximum value governed by a quantization." The Examiner concedes that Rai does not disclose this feature, but argues that Bestmann teaches these elements through its logarithmizing and delogarithmizing processes. The Examiner states, "it is well known that the use of logarithmic circuitry is essentially a high pass, low pass, or band pass filter that has particular cut-off frequencies (values) to which the circuit has been tuned to pass or limit." The Examiner appears to be taking official notice by this assertion. Applicant notes that, "It is never appropriate to rely solely on 'common knowledge' in the art without evidentiary support in the record, as the principal evidence upon which a rejection was based." MPEP § 2144.03.

Applicant respectfully traverses the Examiner's taking of official notice. The Examiner's extremely broad statement that "the use of logarithmic circuitry" essentially constitutes a filter is

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far too broad a statement. In fact, the present specification provides a counterexample, wherein logarithmizers are used to deal with non-linear density. *See* applicant's specification, ¶¶ 18 and 19. As such, Applicant respectfully requests documentary evidence to support the Examiner's assertion that the presence of logarithmic circuitry constitutes a high pass, low pass, or band pass filter.

Addressing the substance of the Examiner's assertion, there is no indication that Bestmann's logarithmizing accomplishes the function of limiting signals. Bestmann uses logarithmization to convert signals into density values. *See* Bestmann, Col. 6, lines 41-44. The signals are operated upon and subsequently *de*-logarithmized. *See* Bestmann, Col. 7, lines 64-67. There is no mention whatsoever of information being limited or lost through this process. Instead, Bestmann is merely converting signals into a domain which is more easily dealt with, and then converting back. Applicant maintains that Bestmann fails to disclose or suggest limiters.

Furthermore, the Examiner's interpretation of "quantization" as relating merely to a minimum and maximum value, does not reasonably relate to the plain meaning of the term. Quantization, in the realm of signal processing, relates to signals which have, or have imposed on them, discrete levels. A signal may be quantized and have no minimum or maximum, and similarly a signal may have a minimum and maximum, but not be quantized. Claim 35 recites a maximum value that is *governed by* a quantization, and it is respectfully asserted that neither Rai nor Bestmann disclose or suggest a maximum value that is governed by a quantization.

Therefore, Rai and Bestmann, taken alone or in combination, fail to disclose or suggest all of the elements of claim 35. Claim 35 is patentable, separate and apart from independent claim 15. As noted above, it is also believed that claim 32 is patentable. Reconsideration of the rejection is therefore earnestly solicited.

Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic

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interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. 07-0832.

Respectfully submitted,

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